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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

THE PEOPLE,

Plaintiff and Respondent,

v.

DENNIS LYN BROOKS,

Defendant and Appellant.

E071528

(Super.Ct.No. 18PA-001560)

OPINION

APPEAL from the Superior Court of San Bernardino County. Patrick L. Christianson, Temporary Judge. Affirmed.

Rex Adam Williams, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

## I

### INTRODUCTION

In February 2014, defendant and appellant Dennis Lyn Brooks pleaded guilty to one count of felon in possession of a firearm (Pen. Code, § 29800, subd. (a)). He also admitted the offense was committed for the benefit of, at the direction of, or in association with a criminal street gang (Pen. Code, § 186.22, subd. (b)(1)(A)). In return, defendant was sentenced to a total term of five years in state prison with credit for time served.

Defendant was released on parole in May 2018. However, he subsequently violated parole in August 2018, after he assaulted his ex-girlfriend and was arrested for battery on a spouse. Following a parole revocation hearing, the trial court found defendant in violation of his parole. The court thereafter reinstated defendant's parole and ordered him to serve 180 days in county jail with 31 days of credit for time served. Defendant appeals from the judgment. Based on our independent review of the record, we find no error and affirm the judgment.

## II

### FACTUAL AND PROCEDURAL BACKGROUND

On February 27, 2014, defendant was sentenced to five years in state prison after he pleaded guilty to felon in possession of a firearm (Pen. Code, § 29800, subd. (a)) for the benefit of a criminal street gang (Pen. Code, § 186.22, subd. (b)(1)(A)).

On May 12, 2018, defendant was released on parole.

On September 14, 2018, a petition to revoke defendant's parole was filed alleging defendant violated the terms and conditions of his parole by engaging in criminal conduct. The petition specifically alleged that defendant assaulted his ex-girlfriend over several days in August 2018.

A contested parole revocation hearing was held on October 9, 2018. At that time, defendant's parole agent and his ex-girlfriend, A.R., testified. Defendant's parole agent testified that defendant had signed a notice of the terms and conditions of his parole on May 14, 2018. Those conditions included that he conduct himself within the law.

A.R. testified that she had known defendant since she was 12 years old and began dating him in June 2018. She was at her home in Victorville on August 26, 2018, with defendant and his brother, when the brothers got into an argument. Defendant asked her to take his brother home around 6:30 p.m., and she did so. When she returned at 11:00 p.m., defendant asked her where she had been, accusing her of cheating on him. He repeatedly punched A.R. in the face and kicked her, doing it harder when she screamed. Defendant also made A.R. strip naked to dissuade her from running away. He made her sit on her hands so he knew where her hands were at all times. At the time of the assault, defendant was under the influence of methamphetamine. The assault lasted all night until the following afternoon when A.R.'s mother called. When A.R. tried to leave, defendant hit and kicked her and dragged her on the ground by her hair.

On August 28, 2018, A.R. and defendant drove to her place of employment because she wanted to show her supervisor the bruises on her face to explain why she had

not shown up for her shift. She did not tell her supervisor defendant had assaulted her or ask for help because she was scared, and defendant had told her he would kill her.

On August 30, 2018, defendant accused A.R. of going through his things and hit her in the face. As they were driving to San Bernardino, he said people were following them and struck her in the face again. A.R. eventually escaped and ran to a nearby police station. As a result of the incident, A.R. sustained a black eye, bruises, and a swollen finger. A.R. acknowledged that when defendant's parole agent visited her and defendant's residence on August 29, 2018, she did not come out of her room. She also did not tell his parole agent defendant had assaulted her or show her injuries to his parole agent. She did not tell the parole agent that defendant had assaulted her because she was afraid.

Following argument, the trial court found defendant in violation of his parole. The court thereafter reinstated defendant's parole on its original terms and conditions and ordered defendant to serve 180 days in county jail with 31 days of credit for time served.

On October 24, 2018, defendant filed a timely notice of appeal.

### III

#### DISCUSSION

After defendant appealed, upon his request, this court appointed counsel to represent him. Upon examination of the record, counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386

U.S. 738, setting forth a statement of the case, a summary of the facts and potential arguable issues, and requesting this court to conduct an independent review of the record.

We offered defendant an opportunity to file a personal supplemental brief, and he has not done so.

An appellate court conducts a review of the entire record to determine whether the record reveals any issues which, if resolved favorably to defendant, would result in reversal or modification of the judgment. (*People v. Wende, supra*, 25 Cal.3d at pp. 441-442; *People v. Feggans* (1967) 67 Cal.2d 444, 447-448; *Anders v. California, supra*, 386 U.S. at p. 744; see *People v. Johnson* (1981) 123 Cal.App.3d 106, 109-112.)

Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the entire record for potential error and find no arguable error that would result in a disposition more favorable to defendant.

#### IV

#### DISPOSITION

The judgment is affirmed.

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CODRINGTON  
J.

We concur:

MILLER  
Acting P. J.

SLOUGH  
J.